

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 21 – SB 17**

February 13, 2017

**SUMMARY OF ORIGINAL BILL:** Authorizes an immediate family member of a deceased victim who died on a conventional state highway as a result of a vehicular accident caused by a non-convicted deceased driver proven to be under the influence of alcohol, a controlled substance, or other intoxicant to request a memorial sign within one year from the date of the driver's death.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$150/Highway Fund

**SUMMARY OF AMENDMENT (003717):** Deletes the provision of the original bill that established that the memorial sign applicant is not required to submit a copy of the intoxicated driver's conviction report if the driver died as a result of the accident, and replaces it with a new provision that requires the memorial sign application be accompanied by such intoxicated driver's toxicology or autopsy report indicating that the driver was intoxicated over the legal limit for controlled substances.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Based on the information provided by the Department of Safety, from 2014 to 2016, the average number of fatalities caused by non-convicted impaired drivers who were deceased, but were proven to be under the influence of alcohol was four; caused by non-convicted impaired drivers who were deceased proven to be under the influence of drugs was eight for a total average of 12 fatalities per year. These numbers are assumed to remain constant in subsequent years.
- The proposed legislation as amended will only apply to conventional state highways totaling 60 percent of Tennessee's roadways.

- According to the Department of Transportation (TDOT), there is no allowance under the Federal Manual on Uniform Traffic Control Devices (MUTCD) for general safety campaign message signs like those proposed by this bill as amended.
- TDOT designs signage to meet the guidelines of the MUTCD, thus allowing the proposed memorial signing program to be fully implemented.
- According to TDOT, each sign would increase state expenditures from the Highway Fund by approximately \$150.
- Twenty percent of the immediate family members of the 12 annual fatalities caused by deceased non-convicted impaired drivers proven to be under the influence are assumed to request signage be erected in the victim's name for a total of one sign per year (12 fatalities x 0.20 x .60 conventional state highways).
- The recurring increase in state expenditures from the Highway Fund is estimated to be \$150 (\$150 per sign x 1 sign).

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/tdb